

for every purpose shall be considered the act of such candidate, through a party committee, or through a personal committee, whose authority to act shall have been filed as provided by this Act.

Sec. 20. All laws and parts of laws in conflict with any of the provisions of this Act are hereby repealed; provided, that each and every provision of the laws of this State which has for its object the prevention of the illegal or corrupt use of money or other valuable thing in any election in this State, whether general or primary election, shall by this Act be recognized as being of equal validity and binding force as if here in re-enacted.

Sec. 21. The fact that there is now no adequate law providing for reports of candidates as to their campaign expenses and limiting the amount of the same, and the further fact of the limited duration of this session of the Legislature during which this may be considered and enacted, create an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house shall be and the same is hereby suspended, that this Act shall take effect from and after its passage.

Engrossed Rider.

Amend H. B. No. 258, page 4, Section 8, lines 30-31, by striking out words "Congressmen at large" and inserting in lieu thereof the words "Representatives in Congress from the State at large."

Adopted March 6, 1917.

Amend H. B. No. 258, page 6, Section 14, line 37, by striking out words "Congressmen at large" and inserting in lieu thereof the words "Representative in Congress from the State at large."

Adopted March 6, 1917.

Amend H. B. No. 258, Section 14, page 7, line 1, by striking out words "district Congressman" and inserting in lieu thereof the words "District Representative in Congress."

Adopted March 6, 1917.

Amend H. B. No. 258, page 7, Section 14, line 4, by inserting after the word "character" the following: "and which districts are composed of more than one county."

Adopted March 6, 1917.

Amend H. B. No. 258, page 7, Section 14, line 8, by inserting after the word "offices" the following: "and for district offices where such districts are composed of one county only."

Adopted March 6, 1917.

Amend H. B. No. 258, page 2, Section 4, line 38, by inserting after the word "telegraph" the word "cards."

Adopted March 6, 1917.

BOB BARKER,
Chief Clerk, House Representatives.

FORTY - SEVENTH DAY.

Senate Chamber,

Austin, Texas,

Saturday, March 10, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Harley.	Westbrook.

Absent.

Clark.	King.
Hall.	McNealus.
Johnston of Harris.	Woodward.

Absent—Excused.

Henderson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Dean.

Excused.

Senator Hall, for today and next Monday on account of important business, on motion of Senator Bailey.

Committee Reports.

See Appendix.

Morning call concluded.

House Bill No. 450.

The Chair laid before the Senate on third reading:

H. B. No. 450, A bill to be entitled "An Act to amend subdivision 2, Article 7355, Chapter 1, Title 126, of the Revised Statutes of the State of Texas for 1911, levying an occupation tax upon traveling venders of patent medicines."

The bill was laid before the Senate, read third time and passed finally.

Senator Alderdice moved to reconsider the vote by which H. B. No. 450 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 725.

The Chair laid before the Senate on its second reading:

H. B. No. 725, A bill to be entitled "An Act amending Section 14 of the Stephens County road law as enacted by the Regular Session of the Thirty-third Legislature, increasing the pay of each county commissioner from two to three dollars a day, or to an amount not exceeding one hundred and thirty-five dollars per quarter when acting as road commissioner, and declaring an emergency."

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—22.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Floyd.	Suiter.
Gibson.	Westbrook.

Absent.

Clark.	King.
Hall.	McCollum.
Harley.	McNealus.
Johnston of Harris.	Woodward.

Absent—Excused.

Henderson.

Senate Bill No. 449.

The Chair laid before the Senate on third reading:

S. B. No. 449, A bill to be entitled "An Act to establish at Arlington, Tarrant County, Texas, a Junior Agricultural, Mechanical and Industrial College, to be known as the Grubbs Vocational College, making an appropriation therefor, and declaring an emergency."

The bill was laid before the Senate, read third time and on motion of Senator Lattimore was passed finally.

Senate Bill No. 479.

The Chair laid before the Senate on second reading:

S. B. No. 479, A bill to be entitled "An Act to create a more efficient road law for Duval County, Texas; fixing the compensation of the commissioners of Duval County when acting as ex officio road commissioners, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 479 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Floyd.	Suiter.
Gibson.	Westbrook.

Absent.

Clark.	King.
Hall.	McCollum.
Harley.	McNealus.
Johnston of Harris.	Woodward.

Absent—Excused.

Henderson.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—24.

Alderdice.	Hopkins.
Balley.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Sulter.
Harley.	Westbrook.

Absent.

Clark.	McCollum.
Hall.	McNealus.
Johnston of Harris.	Woodward.

Absent—Excused.

Henderson.

Senator Parr moved to reconsider the vote by which S. B. No. 479 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 776.

(By unanimous consent.)

The Chair laid before the Senate on second reading.

H. B. No. 776, A bill to be entitled "An Act to amend Chapter 56 of the Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-second Legislature, which said Act was 'An Act incorporating the Meridian Independent School District in Bosque County, Texas, for free school purposes only, etc., and declaring an emergency.'"

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Buchanan of Bell, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 776 put on its third reading

and final passage by the following vote:

Yeas—21.

Alderdice.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	Page.
Dayton.	Parr.
Decherd.	Robbins.
Floyd.	Strickland.
Gibson.	Sulter.
Harley.	Westbrook.
Hopkins.	

Absent.

Balley.	McCollum.
Clark.	McNealus.
Dean.	Smith.
Hall.	Woodward.
Hudspeth.	

Absent—Excused.

Henderson.

The bill was laid before the Senate, read third time and passed finally.

House Bill No. 738—Refusal to Take Up.

Senator King asked for unanimous consent to take up H. B. No. 738.

There was objection.

Senator King moved that the regular order of business (S. B. No. 58), be suspended, and the Senate take up out of its order H. B. No. 738.

The motion was lost by the following vote:

Yeas—9.

Alderdice.	Hudspeth.
Caldwell.	King.
Dayton.	Page.
Dean.	Parr.
Harley.	

Nays—11.

Bee.	Johnson of Hall.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	Strickland.
Decherd.	Sulter.
Floyd.	Westbrook.
Gibson.	

Present—Not Voting.

Robbins.

Absent.

Bailey.	McCollum.
Clark.	McNealus.
Hall.	Smith.
Hopkins.	Woodward.
Johnston of Harris.	

Absent—Excused.

Henderson.

House Bill No. 228—Refusal to Take Up.

Senator King moved that the regular order of business (S. B. No. 58) be suspended, and the Senate take up, out of its order, H. B. No. 228.

The motion was lost by the following vote:

Yeas—8.

Buchanan of Bell.	Harley.
Caldwell.	Johnson of Hall.
Dayton.	Page.
Gibson.	Parr.

Nays—12.

Alderdice.	Hudspeth.
Bailey.	King.
Buchanan of Scurry.	Lattimore.
Dean.	Strickland.
Decherd.	Suiter.
Floyd.	Westbrook.

Present—Not Voting.

Bee.	Robbins.
Hopkins.	

Absent.

Clark.	McNealus.
Hall.	Smith.
Johnston of Harris.	Woodward.
McCollum.	

Absent—Excused.

Henderson.

Senator King moved to reconsider the vote by which the Senate refused to suspend the regular order and take up H. B. No. 228.

The motion was lost by the following vote:

Yeas—6.

Bee.	Page.
Caldwell.	Parr.
King.	Robbins.

67—Sen

Nays—11.

Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Lattimore.
Decherd.	Strickland.
Floyd.	Suiter.
Gibson.	Westbrook.
Harley.	

Present—Not Voting.

Alderdice.	Hopkins.
Dayton.	Johnson of Hall.

Absent.

Bailey.	McCollum.
Clark.	McNealus.
Dean.	Smith.
Hall.	Woodward.
Johnston of Harris.	

Absent—Excused.

Henderson.

Senate Bill No. 392—Refusal to Recommit.

Senator King moved to recommit S. B. No. 392 to the Committee on Insurance and Banking.

Senator Lattimore moved to table the motion.

Pending.

Messages from the House.

Hall of the House of Representatives.
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 52, A bill to be entitled "An Act to exempt from taxation all buffalo and catalo now in captivity in Texas, by whomsoever owned, where such animals are kept and used for experimental purposes in crossing same with cattle for the purpose of producing a better strain of beef, etc., and declaring an emergency."

H. B. No. 351, A bill to be entitled "An Act providing that the history of the State of Texas shall be used in the history course of all public schools in Texas; giving the State Superintendent of Public Instruction certain powers in regard thereto, and providing a penalty for violation of this Act."

Respectfully,

BOB BARKER,
Chief Clerk House of Representatives.

Hall of the House of Representatives.
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted

S. C. R. No. 15, Providing for the appointment of a committee to draft a bill embodying a complete revision of the Statutes of this State relating to ad valorem taxation, together with such amendments, changes and addition as will provide an efficient law upon the subject, and providing a more efficient system for collection of delinquent taxes, providing a method to prevent double rendition of property and a more efficient system of book-keeping for tax collectors, assessors and Comptroller; providing for the employment of an assistant and stenographer; authorizing the payment of salaries from the contingent expense fund of the House and Senate.

Passed:

S. B. No. 357, A bill to be entitled "An Act to amend Chapter 173 of the Regular Session of the Thirty-third Legislature, approved April 9, 1913, relating to the prospect for and the development of the minerals and other substances, and declaring an emergency."

Respectfully,

BOB BARKER,
Chief Clerk House of Representatives.

Hall of the House of Representatives.
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 109, A bill to be entitled "An Act to amend Article 2811, Chapter 14, Title 48 of the Revised Statutes of Texas, 1911, empowering the trustees of any school district upon petition of parents or guardians, to require said trustees to establish and maintain free kindergartens for the training of children between the ages of five and seven years, and to provide for trained kindergarten teachers," with amendments.

Adopted the Free Conference Com-

mittee report on House Bill No. 21 by the following vote: Yeas. 61; nays, 53.

Respectfully,

BOB BARKER,
Chief Clerk House of Representatives.

Bills Read and Referred.

The Chair (Lieutenant Governor Hobby) had referred, after their captions had been read, the following House bills:

H. B. No. 755, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 795, referred to the Committee on Educational Affairs.

H. B. No. 811, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 789, referred to the Committee on Educational Affairs.

H. J. R. No. 31, referred to the Committee on Constitutional Amendments.

H. B. No. 615, referred to the Committee on Public Health.

H. B. No. 52, referred to the Committee on Stock and Stock Raising.

H. B. No. 301, referred to the Committee on Educational Affairs.

Bills Signed.

The Chair (Lieutenant Governor Hobby) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 433, A bill to be entitled "An Act to amend Section 6 and 6a of an Act to reorganize the Twenty-eighth Judicial District of the State of Texas, and to create a criminal district court for the Counties of Nueces, Kleberg, Willacy and Cameron, being known as S. B. No. 330, passed by the Thirty-fifth Legislature and approved February 26, 1917, and to conform all writs and processes from such courts to such changes, including recognizances and bonds, and to repeal all laws in conflict herewith, and declaring an emergency."

S. B. No. 174, A bill to be entitled "An Act to validate, ratify and confirm the title to the South League of a two league grant to Jose Antonio Sepulveda in Trinity County, abandoning all claims of the State of

Texas to said land, and declaring an emergency."

S. B. No. 436, A bill to be entitled "An Act to reorganize the Twentieth Judicial District of Texas and to create the Eighty-first Judicial District of Texas; to fix the time of holding court in said districts and to provide for organizing grand juries at certain terms in said courts; to provide for the retention of the judge of the Twentieth Judicial District in office and for the appointment of a judge of the said Eighty-first Judicial District and to abolish the office of district attorney for the said Twentieth Judicial District, and to provide that the county attorneys of the said three counties of Milam, Robertson and Brazos shall perform the duties of the district attorney for said district; providing for the retention of the district clerks of said three counties in office; to diminish the civil and criminal jurisdiction of the county courts of Robertson and Brazos Counties and to conform the jurisdiction of the district court of said counties to said change; providing for the appointment of an official court reporter and to fix his compensation; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 424, A bill to be entitled "An Act to amend Chapter 69 of the Special Laws passed at the Regular Session of the Thirty-second Legislature, and approved by the Governor on March 23, 1911, being an Act entitled 'An Act incorporating the Winnsboro Independent School District in Wood and Franklin Counties, Texas, for free school purposes only, defining its boundaries and providing a board of trustees, divesting the City of Winnsboro of the control of its public schools and title to school property and vesting the same in said Winnsboro Independent School District and its board of trustees, prescribing the rights, powers, privileges and duties of said Winnsboro Independent School District and its board of trustees, and declaring an emergency."

S. B. No. 385, A bill to be entitled "An Act to create a more efficient road law for Jim Wells County, Texas; fixing the compensation of the commissioners of Jim Wells County when acting as ex officio road commissioners, and declaring an emergency."

S. B. No. 406, A bill to be entitled "An Act to amend Section 7 of Chapter 6 of the special laws passed at the regular session of the Thirty-fourth Legislature, 1915, being an Act entitled 'An Act to create a more efficient road system for Wood County,' etc., and adding thereto Sections 7a, 7b, 7c, 7d, 7e, 7f, 7g, 7h and 7i, providing for the issuance of bonds by said county, and declaring an emergency."

S. B. No. 304, A bill to be entitled "An Act creating the Turkey Independent School District in Hall County, Texas; providing for a board of trustees and conferring upon said district and its board of trustees all rights, powers and privileges and duties now conferred and imposed by the General Laws of the State upon independent school districts and the board of trustees, to provide for the election of trustees, for the raising of revenue, issuing bonds, building and maintaining school houses, maintaining public free schools, and declaring an emergency."

S. B. No. 271, A bill to be entitled "An Act to validate the incorporation of the City of Texas City, and to declare valid all Acts pertaining to the incorporation of said city, and to declare valid and binding each and every of the official acts of the mayor and city commissioners sitting as a board of commissioners since the incorporation of said city of Texas City."

S. B. No. 336, A bill to be entitled "An Act to increase the authority and duties of the commissioners court of Nueces County, Texas, and of the county commissioners of said county, to require said county commissioners to devote their time and attention to the affairs of said county, and to fix the salary for the members of said commissioners court, and repealing all laws, general and special, in conflict with the provisions of this Act, and declaring an emergency."

S. B. No. 311, A bill to be entitled "An Act authorizing the county commissioners court of Grayson County, Texas, to appropriate money for the purpose of using additional farm demonstration agents and for a Canning Club demonstration agent."

S. B. No. 352, A bill to be entitled "An Act to amend Section 2, Chapter 75, Special Laws of the Regular Session of the Thirtieth Legislature

of 1907, being an Act to authorize, enable and permit the territory within the boundaries of the town of Estelline, in Hall County, Texas, and other lands and territory adjacent thereto to incorporate as independent school district for free school purposes only, known as Estelline Independent School District, with all the powers, rights and duties of independent school districts formed by incorporation of towns and villages for free school purposes, and declaring an emergency."

S. B. No. 182, A bill to be entitled "An Act to further regulate the organization, supervision and control of State banks and bank and trust companies incorporated under the general banking laws of the State of Texas; providing that amendments to charters of such corporations shall be filed in the office of the Commissioner of Insurance and Banking, and fixing fees for such service; providing an additional method for qualification of directors of such corporations by requiring such directors to take an oath defined therein, declaring it shall not be necessary to amend the charter of a banking corporation in order to increase or decrease its number of directors, and providing the method for such increase or decrease; making it an offense for any officer, director or employe of any State bank or banking corporation to demand or receive any consideration or commission on account of any loan or extension of credit made by such corporation; defining such offense and prescribing the punishment therefor; amending Article 463 of the Revised Statutes of Texas, 1911, and prescribing certain duties of the Commissioner of Insurance and Banking in publishing the notice and advertisement calling on persons who have claims against a bank which has been placed in his hands to present the same within ninety days, and defining and describing the duties of the Commissioner with reference to such matters; fixing the salaries of the bank examiners and regulating their expenses; authorizing the Commissioner to classify the examiners on his force in accordance with years of service; authorizing the Commissioner of Insurance and Banking to designate any one of his examiners as general liquidating agent for the purpose of liquidating banks in pro-

cess of liquidation in this State; prescribing the duties of such general liquidating agent and the Commissioner with reference thereto; fixing an additional salary of five hundred dollars per year for such general liquidating agent, and authorizing the commissioner to assess the salary of the general liquidating agent proportionately against the banks being liquidated by him; amending Revised Statutes of Texas, 1911, Article 574, so as to require all officers and employes of such banks who are active in the discharge of their duties or draw salaries to give bond; defining the terms of the bond; requiring same to be filed with the Commissioner of Insurance and Banking, and regulating the form and provisions of said bond; amending Section 8, Chapter 3, of the General Laws passed by the Third Called Session of the Thirty-third Legislature of the State of Texas; fixing the amount of indebtedness which any one individual, corporation, company or firm may owe to any bank incorporated under the general banking laws of this State; providing exceptions to the general provisions of this Act; repealing all laws in conflict with this Act, and declaring an emergency."

H. B. No. 542, A bill to be entitled "An Act to amend Section 2, Chapter 30 of the Special Laws of the Thirty-first Legislature, as amended by Special Laws of the Thirty-second Legislature, being an Act to create a road commission for Jones, Haskell and Taylor Counties."

H. B. No. 606, A bill to be entitled "An Act creating and incorporating the Wilmer Independent School District in Dallas County, Texas, etc., and declaring an emergency."

H. B. No. 64, A bill to be entitled "An Act to amend Chapter 68 of the Acts of the Thirty-second Legislature and Chapter 154 of the Acts of the Thirty-third Legislature, and to provide that sand and other deposits taken for the raising of the grade of the salt flats in the northern part of Corpus Christi and the lowlands lying north of the north boundary line of the city of Corpus Christi, in Nueces County, Texas, shall be exempt from the provisions of said Chapter 68, and declaring an emergency."

H. B. No. 673, A bill to be entitled "An Act creating the Skidmore Inde-

pendent School District, known as Common School District No. 1 in Bee County, Texas, etc., and declaring an emergency."

H. B. No. 31, A bill to be entitled "An Act creating the county court of El Paso County for civil cases, to fix and prescribe the jurisdiction thereof, and to conform to such change in the jurisdiction of the county court of El Paso County, fixing the salaries of the judges of the county court of El Paso County, and of the county court of El Paso County for civil cases; providing for the appointment and election of the judges of said court hereby created; providing for the appointment of special judges and filling of vacancies in said office, and declaring an emergency."

H. B. No. 35, A bill to be entitled "An Act to establish and create a Criminal Judicial District of Dallas County, Texas, and to fix the territorial limits of said Criminal Judicial District, and to designate the Criminal District Courts that have jurisdiction in said Criminal District of Dallas County; to provide for the election, qualification, powers and compensation and expense of office of the criminal district attorney for said district; to provide for the appointment of assistants to the criminal district attorney, and to provide for their powers, duties and method of payment; and to provide for the present county attorney of Dallas County to assume the duties of and conduct the business of the criminal district attorney of Dallas County until his successor shall be elected and qualified, and repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

H. B. No. 72, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State Normal College to be located at Corpus Christi, Nueces County, Texas, and to be known as the South Texas State Normal College, and declaring an emergency."

H. B. No. 630, A bill to be entitled "An Act to amend Sections 2, 8, 9, 12 and 40 of Chapter 148, Local and Special Laws of the State of Texas, passed by the Regular Session of the Thirty-third Legislature, same being a special road law for Fayette County, Texas, and declaring an emergency."

Senate Concurrent Resolution No. 25.

By unanimous consent and on request of Senator Westbrook, Senate Concurrent Resolution No. 25, adopted yesterday, was withdrawn.

Senate Concurrent Resolution No. 26.

Whereas, In the report of the Free Conference Committee on House Bill No. 502, an amendment to the caption was overlooked; therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Enrolling Clerk of the House be, and he is hereby, authorized and directed to insert in the caption of said bill, after the word "value," the following: "to claimants or," and after the second word "employment" the words "or who practice law without license."

Bee, Hudspeth, Hopkins, Westbrook.

Senator Page called for the full reading of House Bill No. 502.

Senator Bee made the point of order that a member does not have the privilege of calling for the full reading of a bill during the consideration of a resolution to correct, an oversight made by a free conference committee in the caption of such bill in the House.

The point was overruled, the Chair holding that it is the privilege of the Senator to have the bill read in full.

(Senator Gibson in the chair.)

Senator Lattimore moved the previous question on the adoption of Senate Concurrent Resolution No. 26, which being duly seconded, was so ordered.

Senator Page called for the continuation of the reading of House Bill No. 502.

Senator Lattimore made the point of order that a vote ordering the previous question will interrupt the reading of a bill or resolution and bring the Senate to a direct vote on the matter on which the previous question was ordered.

The point of order was sustained.

Action recurred upon Senate Concurrent Resolution No. 26, and the same was adopted.

Senate Bill No. 392—Refusal to Recommit.

Action recurred upon the motion to table the motion of Senator King to recommit Senate Bill No. 392.

Senator Lattimore moved the previous question on the motion to table which was duly seconded and ordered.

The motion to table prevailed.

Senate Bill No. 58.

(Pending.)

The Chair laid before the Senate as pending business on second reading,

C. S. for S. B. No. 58, A bill to be entitled "An Act defining and prohibiting, under penalties, conspiracies to blacklist and other practices, or to prevent ex-employees from securing employment; requiring corporations to keep certain records of information given or received by them or their officers or agents in their behalf concerning the character, skill, habits or ability of employees or ex-employees, and providing penalties for failure of corporations or their officers or representatives to comply with such requirements; prescribing certain limitations upon the terms of the Act; prescribing certain rules of evidence; declaring the terms of the Act to be separable, and declaring an emergency."

Senator Alderdice offered the following amendment:

Amend S. B. No. 58 by striking out Section 3 of the bill down to and including the word "corporation" in line 11 and inserting the following:

"Each and every corporation doing business in this State shall keep a copy or record of every statement made by it, or its officers authorized to make such statement, concerning the character, habits, skill or ability or general fitness of any person in the employ of such corporation, and keep the original of every such statement received by it, which record shall be subject to inspection by any party concerned."

Senator Strickland moved the previous question on the adoption of the amendment and the engrossment of the bill, which being duly seconded was so ordered.

The amendment was adopted.

Senator Caldwell moved to rescind

the vote by which the Senate ordered the main question on engrossment of S. B. No. 58.

Senator Lattimore made the point of order that after the previous question has been ordered that no motion of any character is in order until the main question has been put and the vote taken on the same.

Senator Hudspeth moved that the question be immediately decided, which was duly seconded and ordered.

The Chair, Senator Gibson, stated that he would refer the point of order to the Senate for determination.

Question: Shall the point of order be sustained?

The point of order was overruled by the following vote:

Yeas—11.

Buchanan of Bell.	Robbins.
Dean.	Smith.
Floyd.	Strickland.
Hopkins.	Suiter.
Johnson of Hall.	Westbrook.
Lattimore.	

Nays—13.

Alderdice.	Harley.
Bailey.	Hudspeth.
Bee.	King.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Dayton.	Woodward.
Decherd.	

Present—Not Voting.

Gibson.

Absent.

Clark.	McCollum.
Hall.	McNealus.
Johnston of Harris.	

Absent—Excused.

Henderson.

Senator Strickland moved to table the motion to rescind the vote by which the previous question was ordered on the engrossment of S. B. No. 58.

The motion prevailed by the following vote:

Yeas—18.

Alderdice.	Gibson.
Bee.	Harley.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Hudspeth.
Dean.	Johnson of Hall.
Floyd.	Lattimore.

Robbins.	Suiter.
Smith.	Westbrook.
Strickland.	Woodward.

Nays—4.

Caldwell.	Page.
Dayton.	Parr.

Present—Not Voting.

Bailey.

Absent.

Clark.	King.
Decherd.	McCollum.
Hall.	McNealus.
Johnston of Harris.	

Absent—Excused.

Henderson.

The bill was read second time and passed to engrossment.

Senator Strickland moved that the constitutional rule requiring bills to be read on three several days be suspended and S. B. No. 58 put on its third reading and final passage, and moved the previous question on the motion to suspend the constitutional rule and on the final passage of the bill, which was duly seconded and ordered.

The constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 58 put on its third reading and final passage by the following vote:

Yeas—16.

Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Lattimore.
Dayton.	Robbins.
Dean.	Strickland.
Floyd.	Suiter.
Harley.	Woodward.

Nays—2.

Page.	Parr.
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Present—Not Voting.

Gibson.

Absent.

Alderdice.	King.
Decherd.	McCollum.
Hall.	McNealus.

Pairs Recorded.

Senator Westbrook (present), who would vote "yea;" Senator Clark

(absent), who would vote "nay."

Senator Smith (present), who would vote "yea;" Senator Henderson (absent), who would vote "nay."

Senator Caldwell (present), who would vote "nay;" Senator Johnson (absent), who would vote "yea."

Senator Caldwell made the point of order that the previous question could not be ordered on the final passage of a bill until it had been laid before the Senate on third reading.

The point of order was sustained.

Senator Parr offered the following amendment:

Amend printed bill committee substitute for S. B. No. 58 by adding a new Section 2c to read as follows:

"Any organization or committee or any member thereof that maintains a blacklist against candidates for office shall be guilty of violation of this Act."

Senator Strickland moved the previous question on the adoption of the amendment and on the final passage of the bill, which was duly seconded and ordered.

Action recurred upon the pending amendment and the same was lost by the following vote:

Yeas—11.

Bailey.	Harley.
Buchanan of Bell.	Hopkins.
Caldwell.	Page.
Dayton.	Parr.
Dean.	Woodward.
Floyd.	

Nays—11.

Bee.	Robbins.
Buchanan of Scurry.	Smith.
Clark.	Strickland.
Hudspeth.	Suiter.
King.	Westbrook.
Lattimore.	

Present—Not Voting.

Gibson.	Johnson of Hall.
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Absent.

Alderdice.	Johnston of Harris.
Decherd.	McCollum.
Hall.	McNealus.

Absent—Excused.

Henderson.

The bill was laid before the Sen-

ate, read third time and passed by the following vote:

Yeas—19.

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Clark.	Page.
Dayton.	Robbins.
Dean.	Strickland.
Floyd.	Suiter.
Harley.	Westbrook.
Hopkins.	

Nays—1.

Woodward.

Present—Not Voting.

Gibson.

Absent.

Alderdice.	McCollum.
Decherd.	McNealus.
Hall.	Parr.

Pairs Recorded.

Senator Caldwell (present), who would vote "nay"; Senator Johnston (absent), who would vote "yea."

Senator Smith (present), who would vote "yea"; Senator Henderson (absent), who would vote "nay."

Senator Bee moved to reconsider the vote by which Senate Bill No. 58 was passed and table the motion to reconsider.

The motion to table prevailed.

Conference Committee Report on House Bill No. 21.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate; Hon. F. O. Fuller, Speaker of the House of Representatives.

Sirs: We, your Conference Committee on House Bill No. 21,

Beg leave to report that we have met and adjusted the differences between the House and Senate in respect to said bill, and recommend to the House and Senate the adoption of the following report, to wit:

Amend the bill by striking out Section 1, and insert in lieu thereof the following:

Section 1. That from and after the passage of this Act, the Judges of the

Supreme Court and the Judges of the Court of Criminal Appeals of this State shall each be paid an annual salary of six thousand dollars (\$6,000.00), payable in equal monthly installments. That the Judges of the several Courts of Civil Appeals of this State shall each be paid an annual salary of forty-five hundred dollars (\$4,500.00), payable in equal monthly installments. That the judges of the district courts of this State shall each be paid an annual salary of thirty-six hundred dollars (\$3,600.00), payable in equal monthly installments. Provided, that district judges in counties having a population of one hundred thousand or more and containing a city of seventy-five thousand population or more, as shown by the United States census of 1910, which judges are also acting as members of a juvenile board, shall not receive from all sources a salary of more than forty-five hundred dollars (\$4,500.00) per year.

Amend the bill by striking out all before the enacting clause and insert in lieu thereof the following:

A BILL

To Be Entitled

An Act fixing the salaries of Judges of the Supreme Court and the Court of Criminal Appeals, and the Judges of the Courts of Civil Appeals, and of the district courts of this State, and providing for maximum salaries for judges of district courts acting as members of a juvenile board in certain counties, and declaring an emergency.

LATTIMORE,
JOHNSTON of Harris,
BEE,
HUDSPETH,
BAILEY,

On the Part of the Senate.

CARLOCK,
WILLIAMS,
BLEDSOE,
MILLER of Dallas,
ROBERTSON,

On the Part of the House.

The report was read and on motion of Senator Lattimore was adopted.

Free Conference Committee on House Bill No. 502.

Senator Harley offered the following written motion:

I move to reconsider the vote by

which the Senate adopted the free conference committee report on H. B. No. 502, and that the bill be sent back to free conference for further consideration.

The motion was adopted.

Senate Bill No. 109—House Amendments Concurred In.

Senator Bee called up for the purpose of consideration of House amendments to

S. B. No. 109, A bill to be entitled "An Act to amend Article 2811, Chapter 14, Title 48, Revised Statutes of Texas, 1911, empowering the trustees of any school district upon petition of parents or guardians, to require said trustees to establish and maintain free kindergarten for the training of children between the ages of five and seven years, and to provide for trained kindergarten teachers."

The Chair laid before the Senate the following House amendments:

Amend said bill by striking out the words "between the ages of five and seven years" where they appear and insert in lieu thereof "under the scholastic age down to and including five years."

Amend said bill by striking out the words "one mile of any elementary school building in" where they appear in the bill.

Amend caption of said bill by striking out the words "between the ages of five and seven years" and inserting in lieu thereof "under the scholastic age down to and including five years."

On motion of Senator Bee, the Senate concurred in the amendments.

Adjournment.

At 12:55 o'clock, on motion of Senator Dayton, the Senate adjourned until 10 o'clock Monday morning.

APPENDIX.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on En-

grossed Bills has had S. B. No. 310 carefully compared, and finds the same correctly engrossed.

CALDWELL, Acting Chairman.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had S. J. R. No. 7 carefully compared, and finds the same correctly engrossed.

CALDWELL, Acting Chairman.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had S. B. No. 312 carefully compared, and finds the same correctly engrossed.

CALDWELL, Acting Chairman.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had S. B. No. 384 carefully compared, and finds the same correctly engrossed.

CALDWELL, Acting Chairman.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had S. B. No. 263 carefully compared, and finds the same correctly engrossed.

CALDWELL, Acting Chairman.

Committee Reports.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 31, "A Joint Resolution to amend the Constitution of the State of Texas by amending Article 5 thereof, pertaining to the Judicial Department of the State of Texas, fixing the date of the election to be held and making an appropriation to pay the expenses of said election,"

Have had the same under consideration, and beg to report it back to the Senate, with the recommendation that it do pass and be not printed, but be printed in the Journal.

WESTBROOK, Chairman.

By DeBogory.

H. J. R. No. 31.

A JOINT RESOLUTION
To Be Entitled

A Joint Resolution to amend the Constitution of the State of Texas by amending Article 5 thereof, pertaining to the Judicial Department of the State of Texas, fixing the date for the election to be held hereunder, and making an appropriation to pay expenses of said election.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article 5 of the Constitution be amended and substituted by the following:

Section 1. The judicial power of this State shall be vested in one Supreme Court, county courts, and in such other courts as may be provided by law, including courts of justice of the peace, and commissioners' courts.

Sec. 2. The Supreme Court shall consist of a Chief Justice and fourteen Associate Justices, which number may be increased or diminished by law. The court shall be divided into divisions of three members each, each of which divisions shall constitute a working body, two of whom shall constitute a quorum, and to each division shall be assigned by the Chief Justice the particular labors each of said divisions shall perform. The decision of a division shall be deemed a decision of the court, and judgment shall be based thereon, unless the matter be brought before the court en banc and revised thereby under the rules prescribed by the court en banc. The decision of a majority of said court en banc shall constitute the judgment of said court.

Sec. 3. No person shall be eligible to the office of Chief Justice or Associate Justice of the Supreme Court unless he be at the time of his election a citizen of the United States and of this State, and unless he shall have attained the age of thirty-five years, and shall have been a practicing lawyer or such lawyer and a judge of a court of record at least ten years. Said

Chief Justice and Associate Justices shall be elected by the qualified voters of the State and hold their office eight years, or until their successors are elected and qualified and shall each receive an annual salary of five thousand dollars (\$5,000.00) until otherwise provided by law. In case of a vacancy in the office of Chief Justice or Associate Justice of the Supreme Court the Governor shall fill the vacancy by appointment until the next general election. The Associate Justices of the Courts of Civil Appeals in office at the time this amendment goes into effect shall continue in office for the unexpired terms to which they were elected or appointed at the same salary which they are now receiving, and each shall be assigned to such position in the organization of the judicial system hereunder as the Legislature may deem proper. The Supreme Court shall have such jurisdiction, civil and criminal, coextensive with the limits of the State, as shall be provided by law. The Supreme Court as first organized hereunder shall consist of the Justices of the Supreme Court and the Court of Criminal Appeals, and the Chief Justices of the several courts of Civil Appeals in office at the time this amendment goes into effect, each of whom shall hold for the unexpired portion of his term as fixed by the present Constitution. The Supreme Court shall hold its sessions in the State Capitol in the City of Austin.

Sec. 4. The county court shall have original jurisdiction in all criminal and civil cases and probate matters except as herein provided and as may be provided by law, and shall have appellate jurisdiction and general supervision over the county commissioners' court and other inferior courts, under such regulations as may be prescribed by law, and the judges thereof shall have the power to issue writs of habeas corpus, mandamus, injunction and certiorari, and all necessary writs to enforce their jurisdiction. Should the docket of the Supreme Court become crowded, the Chief Justice shall assemble the Supreme Court to sit en banc and said court shall select by ballot so many of the county judges whose qualifications shall meet the requirements of the Justices of the Supreme Court in such number as the Supreme Court may deem sufficient to expedite the business of the court. The salaries of such temporary judges shall

be the same as the salaries provided for the said respective county judges. Such judges shall have full power to act as Supreme Court Justices duly elected members of said court. The county judge shall be a citizen of the United States and of this State, who shall have been a practicing lawyer of this State or such lawyer and a judge of a court of record at least for four years, who shall hold his office for the period of four years and shall receive for his services an annual salary of twenty-five hundred dollars (\$2,500.00), or as may be provided by law. The salaries of the respective county judges shall not be uniform throughout the State, but shall be fixed by law according to the population of the respective counties and the amount of business to be transacted. He shall hold his court in the county seat, keeping his court open for business without adjournment throughout the year unless otherwise provided by law. When this amendment takes effect the respective district judges in office shall be the respective county judges of the respective counties of their residence. The number of county judges to any county may be increased or diminished by law. Provision may be made by the Legislature for two or more counties to unite in the election of a county judge to serve for their respective counties under such regulations as may be prescribed by law. In the trial of all cases in all courts of original jurisdiction except the Supreme Court, the plaintiff or defendant shall have the right of trial by jury as may be prescribed by law. Grand and petit juries in county courts shall be composed of twelve men; but nine members of a grand jury shall be a quorum to transact business and present bills. In trials of civil cases, and in trials of criminal cases below the grade of felony in the county courts, nine members of the jury concurring may render a verdict, but when the verdict shall be rendered by less than the whole number, it shall be signed by every member of the jury concurring in it. When, pending the trial in any case, one or more jurors, not exceeding three, may die, or be disabled from sitting, the remainder of the jury shall have the power to render the verdict; provided, that the Legislature may change or modify the rule authorizing less than the whole number of the jury to render a verdict.

Sec. 5. No judge shall sit in any case wherein he may be interested or where either of the parties may be connected with him either by affinity or contiguity within such a degree as may be prescribed by law, or when he shall have been counsel in the case. When the Supreme Court, shall be thus disqualified to hear and determine cause or causes of said court, the same shall be certified to the Governor of the State, who shall immediately commission the requisite number of persons learned in the law for the trial and determination of such cause or causes, but should a division or member of a division of the Supreme Court be thus disqualified, then the Chief Justice of the Supreme Court may assign said cause or causes to some other division thereof. The disqualification of judges of inferior tribunals shall be remedied and vacancies in their offices filled as may be prescribed by law.

Sec. 6. Each county shall be divided into four commissioners' precincts, in each of which there shall be elected by the qualified voters thereof, one county commissioner, and one county commissioner shall be elected from the county at large, who shall be presiding officer of commissioners court, who shall hold their office for two years and until their successor shall be elected and qualified, and shall receive such compensation as the law may provide. The county commissioners so chosen shall compose the county commissioners court, which shall exercise such powers and jurisdiction over all county business as is conferred by this Constitution and the laws of the State, or as may be hereafter prescribed by law.

Sec. 7. The Supreme Court shall have power to make and establish rules of procedure not inconsistent with the laws of the State for the government of all courts of this State to expedite the dispatch of business therein.

Sec. 8. The State shall have no right of appeal in criminal cases.

Sec. 9. Prosecutions may be commenced in courts of original jurisdiction as may be provided by law.

Sec. 10. The Legislature shall prescribe the duties, provide the manner of election, of removal, and the filling of vacancies of the judges.

prosecuting officers, clerks and other officers of the respective courts. All the officers, judges, clerks and others that may be affected by this amendment shall discharge their respective duties under the present Constitution until this amendment is put in effect by the Legislature, which shall be done at the next regular session thereof, except as herein provided.

Sec. 11. This amendment shall be submitted to the qualified voters of the State at an election to be held throughout the State on the last Saturday in September, 1917. At said election the vote shall be by official ballot, which shall have printed or written at the top thereof in plain letters the words "Official Ballot."

Said ballot shall have also written or printed thereon the words "For the amendment to Article 5 of the Constitution," and the words "Against the amendment to Article 5 of the Constitution."

All voters favoring said proposed amendment shall erase the words "Against the amendment to Article 5 of the Constitution" by making a mark through the same, and those opposing said proposed amendment shall in like manner erase the words "For the amendment to Article 5 of the Constitution."

Sec. 12. The Governor is hereby authorized and directed to submit this amendment to the qualified voters at an election to be held throughout the State on the date herein specified, and the sum of five thousand (\$5,000) dollars, or so much thereof as may be necessary, is hereby appropriated out of the general revenue, not otherwise appropriated, for the purpose of issuing the proclamation and publishing the amendment as required by the Constitution and laws of this State.

Engrossed Rider to H. J. R. No. 31.

Amendment to House Joint Resolution No. 31.

Amend House Joint Resolution No. 31 by striking out all of it after the words "Be it resolved by the Legislature of the State of Texas" down to Section 12; and insert after the words "Be it resolved by the Legislature of the State of Texas" the following: Strike out of Section 1, Article 5; of the present Constitution the words "in courts of civil appeals."

By substituting for Section 2; Ar-

ticle 5, of the present Constitution the following:

"Sec. 2. The Supreme Court shall consist of a Chief Justice and fifteen associate justices, which number may be increased or diminished by law. The court shall be divided into divisions as in the opinion of the court is deemed best, each of which divisions shall constitute a working body; the majority of the members of each division shall constitute a quorum, and to each division shall be assigned by the Chief Justice the particular labors each of said divisions shall perform. The decision of a division shall be deemed a decision of the court, and judgment shall be based thereon, unless the matter is brought before the court en banc and revised thereby under the rules prescribed by the court en banc. The decision of a majority of the court en banc shall constitute the judgment of said court.

"No person shall be eligible to the office of Chief Justice or Associate Justice of the Supreme Court unless he be at the time of his election a citizen of the United States and of this State and unless he shall have attained the age of thirty-five years, and shall have been a practicing lawyer or such lawyer and a judge of a court of record of this State at least ten years. Said Chief Justice and Associate Justices shall be elected by the qualified voters of the State and hold their office eight years, or until their successors are elected and qualified, and shall each receive an annual salary of \$5,000 until otherwise provided by law. In case of a vacancy in the office of Chief Justice or Associate Justice of the Supreme Court the Governor shall fill the vacancy by appointment until the next general election. The members of the first court shall draw lots for the particular term each is to fill, whether for two, four, six or eight years. Thereafter one-fourth of the membership shall be elected every two years as their respective terms of office expire. The members of the present Supreme Court shall constitute a part of the new Supreme Court and shall hold office until their respective terms of office expire."

By substituting for Section 3, Article 5; of the present Constitution the following:

"The Supreme Court shall have ap-

pellate jurisdiction only, except as herein specified, which shall be co-extensive with the limits of the State. The Supreme Court and the justices thereof shall have power to issue writs of habeas corpus as may be prescribed by law; and, under such regulations as is now or may hereafter be prescribed by law, the said court and the justices thereof may issue writs of mandamus, procedendo, certiorari, and such other writs as may be necessary to enforce its jurisdiction. The Supreme Court or any justice thereof in term time or vacation shall have original jurisdiction to issue writs of quo warranto and mandamus; and such other writs as are now or may hereafter be prescribed by law; and shall have power to appoint a clerk, who shall give bond in such manner as may be prescribed by law, who shall receive such compensation as the Legislature may provide, and shall be subject to removal by said court.

"All civil cases which may be pending in the Courts of Civil Appeals shall, as soon as practicable after the organization of the Supreme Court, be certified thereto, and the records thereof transmitted to the Supreme Court to be decided by said court."

By striking out all of Section 6, Article 5, of the present Constitution.

By striking out of Section 11, Article 5, of the present Constitution the following words: "the Courts of Civil Appeals."

Section A. All the officers, judges, clerks and others that may be affected by this amendment shall discharge their respective duties under the present Constitution until this amendment is put into effect by the Legislature, which shall be done at the next regular session thereof, except as herein provided.

Section B. This amendment shall be submitted to the qualified voters of the State at an election to be held throughout the State on the last Saturday in September, 1917. At said election the vote shall be by official ballot, which shall have printed, or written, at the top thereof in plain letters the words "Official Ballot." Said ballot shall have also written or printed thereon the words "For the amendment to Article 5 of the

Constitution increasing the membership of the Supreme Court and abolishing the Court of Civil Appeals," and the words "Against the amendment to Article 5 of the Constitution increasing the membership of the Supreme Court and abolishing the Court of Civil Appeals." All voters favoring said amendment shall erase the words "Against the amendment to Article 5 of the Constitution increasing the membership of the Supreme Court and abolishing the Court of Civil Appeals," and those opposing the said amendment shall erase the words "For the amendment to Article 5 of the Constitution increasing the membership of the Supreme Court and abolishing the Court of Civil Appeals."

Adopted March 9, 1917.

BOB BARKER,
Chief Clerk, House of Representatives.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 478, A bill to be entitled "An Act incorporating and creating the Phelps Independent School District in Walker County, Texas, for free school purposes only, defining its boundaries, and providing for the election of a board of trustees, for the raising of revenue by taxation, issuing of bonds for raising money for building purposes, and maintaining public free schools therein, vesting the property included within this Act in said Phelps Independent School District, and vesting said district and the board of trustees thereof with all the rights, powers, privileges and duties conferred and imposed by General Laws upon independent school districts and the board of trustees thereof, formed by the incorporation of towns and villages for free school purposes only under the General Laws, declaring valid a maintenance tax heretofore voted, and declaring an emergency,"

Have had said bill under consideration, and beg to report the same back to the Senate, with the recommendation that it do pass, and be not printed.

BEE, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 9, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 813, A bill to be entitled "An Act creating Smiley Independent School District, in Gonzales County, Texas; defining its boundaries," etc.,

Have had the same under consideration, and we are instructed to report same back to the Senate, with the recommendation that it do pass, and be not printed.

Bee, Chairman; Floyd, Buchanan of Scurry, Page, Johnson, Lattimore, Dayton, Gibson, Robbins, Alderdice, Harley, Smith, Westbrook.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 767, A bill to be entitled "An Act to amend the caption of Chapter 41 of the local and special laws of Texas passed by the Regular Session of the Thirty-third Legislature, the same being a McLennan County road law, and being Senate Bill No. 360, so as to hereafter read as follows: 'An Act to create a more efficient road system for McLennan County, Texas, etc., and declaring an emergency,'"

Have had the same under consideration and beg to report same back to the Senate with the recommendation that it do pass, and be not printed.

Caldwell, Chairman; Smith, Buchanan of Scurry, Floyd, Gibson, Strickland.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 8, A bill to be entitled "An Act regulating the sale of and defining agricultural and garden seeds for planting purposes and mixed seeds; requiring their proper

labeling; prohibiting mixture of seeds unless so labeled; providing for the collection of samples and their examination; defining noxious weeds and foreign matter; providing that certificate of analysis by the Commissioner of Agriculture shall be prima facie evidence in certain cases, and regulating the measure of damages; designating an officer for the enforcement of the law; providing for the expense and enforcement of the law, and fixing penalties for its violation,"

Have had the same under consideration and we beg leave to report the same back to the Senate with the recommendation that it do pass, and that it be not printed.

Woodward, Dayton, Alderdice, Buchanan of Bell, Sulter, Buchanan of Scurry, Decherd, Gibson.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Commerce and Manufacturing, to whom was referred

S. B. No. 57, a bill to be entitled "An Act to regulate the taking of pelts of fur-bearing animals; providing an open season for the killing of fur-bearing animals, and making a penalty for the violation thereof,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed but be printed in the Journal.

Lattimore, Chairman; Johnson, Strickland, Floyd, Gibson.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, March 9, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared S. B. No. 234 and find it correctly enrolled, and have this day at 10:30 o'clock a. m., presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 9, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared S. B. No. 377 and find it correctly enrolled, and have this day at 10:30 o'clock a. m., presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 9, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully compared S. B. No. 389 and find it correctly enrolled, and have this day at 10:30 o'clock a. m., presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 304 and find it correctly enrolled, and have this day at 10:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 174 and find it correctly enrolled, and have this day at 10:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 336 and find it correctly enrolled, and have this day at 10:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 385 and find it correctly enrolled, and have this day at 10:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 406 and find it correctly enrolled, and have this day at 10:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 271, and find the same correctly enrolled and have this day at 10:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 311 and find it correctly enrolled, and have this day at 10:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 352 and find it correctly enrolled, and have this day at 10:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 424 and find the same correctly enrolled and have this day at 10:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 9, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully compared S. B. No. 375 and find it correctly enrolled, and have this day at 10:30 o'clock a. m., presented same to the Governor for his approval.

SMITH, Chairman.

By Alderdice, Suiter, S. B. No. 375
Robbins.

A BILL To Be Entitled

An Act to reorganize the Seventh, Fourteenth and Fortieth Judicial Districts and to create the Eighty-sixth Judicial District of the State of Texas, and providing for the appointment of the district judge for said Eighty-sixth Judicial District, and providing for holding the district courts and the terms thereof in the said Seventh, Fourteenth, Fortieth and Eighty-sixth Judicial Districts, and providing that all process, recognizances, bail bonds, appeal bonds, and jurors heretofore selected are valid and returnable to first session after this Act takes effect, and validating all judgments and decrees of the said courts, and providing for the continuation of any district court mentioned to the end of its term, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the County of Ellis be and the same is hereby constituted the Fortieth Judicial District and the terms of district courts therein shall be held each year as follows:

One term, beginning on the first

Monday in March of each year and continuing in session until the first Monday in June.

One term, beginning on the first Monday in June of each year and continuing in session until the first Monday in September.

One term, beginning on the first Monday in September of each year and continuing in session until the first Monday in December.

One term, beginning on the first Monday in December of each year and continuing in session until the first Monday in March.

Sec. 2. The district judge of the Fortieth Judicial District, as formerly constituted, shall continue in office as district judge of the Fortieth Judicial District, as herein constituted until the end of the term for which he was elected.

Sec. 3. The Counties of Upshur, Wood and Smith shall hereafter constitute and be the Seventh Judicial District of the State of Texas and the terms of the district court shall be held therein each year as follows:

In the County of Upshur: One term, beginning on the second Monday in January and may continue in session six weeks.

In the County of Wood: Beginning on the seventh Monday after the second Monday in January and may continue in session six weeks.

In the County of Smith: Beginning on the thirteenth Monday after the second Monday in January and may continue in session until the thirtieth day of June.

In the County of Upshur: Beginning on the first Monday in July and may continue in session six weeks.

In the County of Wood: Beginning on the seventh Monday after the first Monday in July and may continue in session six weeks.

In the County of Smith: Beginning on the thirteenth Monday after the first Monday in July and may continue in session until the third Saturday in December.

Sec. 4. The District Judge of the Seventh Judicial District, as formerly constituted, and the district attorney thereof, shall continue in office as district judge and district attorney of the Seventh Judicial District, as herein constituted, until the end of the term for which they were elected.

Sec. 5. Dallas County shall consti-

tute the Fourteenth Judicial District instead of Dallas and Rockwall, as it has heretofore existed, and the District Court of the said Fourteenth Judicial District shall hold four terms each year in the county of Dallas as follows:

Beginning on the second Monday in January and ending on the Saturday before the second Monday in April.

Beginning on the second Monday in April and ending on Saturday before the second Monday in July.

Beginning on the second Monday in July and ending on Saturday before the second Monday in October.

Beginning on the second Monday in October and ending on Saturday before the second Monday in January.

Beginning on the second Monday in October and ending on Saturday before the second Monday in January.

The said Fourteenth Judicial District Court shall continue and have jurisdiction as is now provided by the acts of the Thirty-third Legislature, Chapter 89, approved March 31, 1913, save and except as the act may apply to Rockwall County. Nothing herein nor in this act shall be construed to in any manner affect the jurisdiction or validity of any other district court in Dallas County heretofore created, but this act shall be construed in so far as it may affect the Fourteenth Judicial District of Dallas County to leave each of said courts, including the Fourteenth District Court, with the same jurisdiction now granted them under existing laws, save and except the transfer of Rockwall County to a new judicial district and the changing of the terms in Dallas County for the said Fourteenth Judicial District.

Sec. 6. The District Judge of the said Fourteenth Judicial District, as formerly constituted, shall continue in office as District Judge of the Fourteenth Judicial District, as herein constituted, until the end of the term for which he was elected.

Sec. 7. The Eighty-sixth Judicial District be and the same is hereby created and shall be composed of the Counties of Kaufman, Van Zandt and Rockwall; and the terms of the District Court shall be held therein each year as follows:

In the County of Van Zandt: Beginning on the first Monday in January of each year and continuing in session six weeks; on the thirteenth

Monday after the first Monday in January of each year and continuing in session six weeks; and on the first Monday in September of each year and continuing in session six weeks.

In the County of Kaufman: Beginning on the sixth Monday after the first Monday in January of each year and continuing in session seven weeks; beginning on the twenty-third Monday after the first Monday in January of each year and continuing in session until the last Saturday in August, and beginning on the tenth Monday after the first Monday in September of each year and continuing in session until the last Saturday in December.

In Rockwall County: Beginning on the nineteenth Monday after the first Monday in January of each year and continuing in session four weeks, and beginning on the sixth Monday after the first Monday in September of each year and continuing in session four weeks.

Sec. 8. That all process and writs issued out of the district courts of said counties and jurors selected prior to the taking effect of this Act are hereby made returnable to the terms of said courts, as said terms are fixed by this Act, and all bonds executed and recognizances entered in said courts shall bind the parties for their appearance or to fulfill the obligations of such bonds and recognizances at the terms of said courts, as they are fixed by this Act, and all process heretofore returned to, as well as all bonds and recognizances heretofore taken in any of said counties' districts courts thereof shall be as valid as though no change had been made in the said districts and the times of holding courts therein.

Sec. 9. Should any district court of the Seventh, Fourteenth or Fortieth Judicial Districts be in session in any of the counties in said district under existing laws when this Act takes effect the same shall continue and end its term under such existing laws as if no change in the district had been made, and all process, writs, judgments and decrees shall be valid and shall not be affected by the change in said districts and the times of holding courts therein made by this Act.

Sec. 10. That immediately after the passage of this Act, the Governor shall appoint a suitable person possessing the qualifications prescribed for district judges in this

State as judge of the Eighty-sixth Judicial District, who shall hold his office until the next general election for State and county officers and until his successor shall be elected and qualified, and shall receive such compensation as is now provided by law for district judges. And the County Attorney of Van Zandt County shall represent the State in criminal cases in said county and receive the same fees and compensation as is now provided by law for the County Attorney of Kaufman County.

Sec. 11. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Sec. 12. The crowded condition of the dockets of Ellis, Kaufman, Rockwall, Van Zandt and other counties affected by this Act creates an emergency and an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days be suspended and that this Act take effect from and after its passage, and it is enacted that said rule be and the same is hereby the date of its passage.

Committee Room,

Austin, Texas, March 9, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 34, and find the same correctly enrolled, and have this day at 10:30 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Bee.

S. B. No. 34.

An Act providing a salary for district attorneys in counties having a population of more than 100,000 of \$500.00 and all fees, commissions and perquisites earned by such office, and repealing all laws fixing a maximum compensation allowed such district attorney for services rendered and repealing all laws requiring such district attorney to pay over any excess fees, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That in any county having a population in excess of 100,000 inhabitants according to the census of the United States of 1910, the district

attorney of such county is entitled to receive a salary of \$500.00, as provided for in the Constitution of Texas, and all fees, commissions and perquisites earned by such office; provided, that the salary and fees contemplated shall not exceed the sum of six thousand dollars (\$6,000.00) in one year.

Sec. 2. The fact that there is now no provision for the adequate compensation of such district attorneys or deputies and assistants in their office, and that the compensation now provided by law is insufficient for the district attorney and competent and skilled deputies, in counties having a population of more than 100,000, when by reason of such increased population the work is greatly increased, necessitating a provision for better compensation commensurate with such increase of work in such counties of greater population, and the further fact that the inadequate salary now provided by law works a hardship on the district attorney and his assistants, and that said compensation should be changed for the betterment and efficiency of the public service creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this Act take effect and be enforced from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 436 and find it correctly enrolled, and have this day at 10:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

By McCollum.

S. B. No. 436.

A BILL

To Be Entitled

An Act to reorganize the Twentieth Judicial District of Texas and to create the Eighty-fifth Judicial District of Texas; to fix the time of holding court in said districts and to provide for organizing grand juries at certain terms in said courts; to provide for the retention of the judge of the Twen-

tieth Judicial District in office and for the appointment of a judge of the said Eighty-fifth Judicial District and to abolish the office of district attorney for the said Twentieth Judicial District, and to provide that the county attorneys of the said three counties of Milam, Robertson and Brazos shall perform the duties of the district attorney for said district; providing for the retention of the district clerks of said three counties in office; to diminish the civil and criminal jurisdiction of the county courts of Robertson and Brazos Counties and to conform the jurisdiction of the district court of said counties to said change; providing for the appointment of an official court reporter and to fix his compensation; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the Twentieth Judicial District of Texas shall hereafter be composed of the County of Milam, and the terms of the district court shall be held therein in each year as follows: On the first Monday in the months of January, March, May and September, and the second Monday in the month of November of each year, and each term may continue in session until and including the Saturday next preceding the beginning of the next succeeding term, unless the business of the term shall be disposed of.

Sec. 2. Grand juries in said Twentieth Judicial District shall be organized at the May and November terms of said court and at such other terms as the judge of said district court may determine and order by causing an order to that effect to be entered upon the minutes of said court by the clerk thereof.

Sec. 3. The counties of Robertson and Brazos, now constituting part of the Twentieth Judicial District are here now declared to constitute the Eighty-fifth Judicial District, and the terms of district court in said counties shall be held as follows: In the county of Robertson on the first Monday in the month of January, April and July, and the second Monday in the month of November in each year, and each term may continue in session for five weeks. The terms of the district court in Brazos County shall

be held on the second Monday in the months of February and May and third Monday in the month of September, and each term may continue in session for six weeks.

Sec. 4. There shall be organized grand juries at the January and July terms of said court in Robertson County, and at the February and September terms of said court in Brazos County, and at such other terms of the said court of each county as may be determined and ordered by the judge thereof.

Sec. 5. The Governor of the State of Texas is hereby authorized and empowered to appoint some person having the qualifications provided by law as district judge for the judge of the district court of the Eighty-fifth Judicial District, who shall hold his office until the next general election for State officers in the State of Texas, and until his successor is elected and qualified as provided by law, and he shall receive the same salary as is now provided or may hereafter be provided to be paid to district judges in like manner.

Sec. 6. That the district judge of the Twentieth Judicial District elected and now acting for said district shall hold his office until the term for which he was elected shall have expired and until his successor is duly elected and qualified, but shall continue as judge of the said Twentieth Judicial District as herein constituted.

Sec. 7. The office of district attorney for the Twentieth Judicial District as now existing is hereby abolished. Provided, that the District Attorney of said Twentieth Judicial District as now constituted and now acting as such shall hold his office as District Attorney of the Twentieth Judicial District as it now exists, charged with the duties of prosecuting all felony cases presented in the district courts of said three counties until the terms for which he was elected shall have expired; provided further, that the respective duly elected county attorneys of Milam, Brazos and Robertson Counties shall be charged with the duties of prosecuting all misdemeanor cases prosecuted in their respective counties during the term for which they were elected.

And it is further provided, that at the expiration of the term for which said district attorney was elected

for said Twentieth Judicial District shall have expired, that said office of District Attorneys for said districts as created by this Act shall be abolished; and the regularly elected county attorneys for the Counties of Milam, Brazos and Robertson elected at the general election to be held in November, A. D. 1918, and each regular election thereafter held, shall perform all the duties of District Attorneys in their respective counties, theretofore performed by said District Attorney.

Sec. 8. The several clerks of Milam, Robertson and Brazos Counties, duly elected and acting as such, shall continue to be the clerk of the District Court of their respective counties until the next general election and until their respective successors are duly elected and qualified.

Sec. 9. The District Court of the Twentieth Judicial District shall have all such powers and jurisdiction as District Courts now have or which may hereafter be conferred upon them and under the laws and Constitution of the State of Texas, and shall also have and exercise all such other and further jurisdiction as may be at any time transferred to it from the County Court of Milam County by any Act or Acts of the Legislature.

Sec. 10. The District Court of said Eighty-fifth Judicial District shall have all the powers and jurisdiction as District Courts now have or which may hereafter be conferred upon them by and under the laws and Constitution of the State of Texas, and the District Court of said Robertson and Brazos Counties shall have and exercise all such other jurisdiction as is here now provided for in this Act.

Sec. 11. That the County Court of Brazos County shall have and exercise the general jurisdiction of probate courts, shall probate wills, appoint guardians of minors, idiots, lunatics, persons non compos mentis and common drunkards, grant letters testamentary and of administration, settle accounts of executors, administrators and guardians, and transact all business appertaining to estates of deceased persons, minors, idiots, lunatics, persons non compos mentis and common drunkards, including partition, settlement and distribution of estates of deceased per-

sons, and to apprentice minors as provided by law, and to issue all writs necessary for the enforcement of its own jurisdiction; to punish contempt under all such provisions as are now or may be provided by the general law governing county courts throughout the State; and the said county court of Brazos County shall have no other jurisdiction, civil or criminal.

Sec. 12. That the District Court of Brazos County as herein created and constituted shall have and exercise jurisdiction in all civil and criminal matters and causes over which by the laws of this State the county court of said county would have jurisdiction, original or appellate, except as provided in this Act, and the same are hereby transferred to the district court of said Brazos County, and all writs and processes relating to any civil or criminal matters included in the subject matter of jurisdiction prescribed by this Act issued out of or by the said County Court of Brazos County be and the same are hereby made returnable to the next term of the district court of said county after this Act takes effect.

Sec. 13. That the county clerk of Brazos County be and is hereby required within thirty days after this Act takes effect, to make a full and complete transcript of all entries upon his civil and criminal dockets heretofore made in cases which by this Act are required to be transferred to the district court of said county, together with all the papers to such cause pertaining, a certified bill of costs in each case, and all such cases shall immediately be docketed by the clerk of the district court as appearance cases for the next succeeding term, and all criminal cases shall be docketed and disposed of in the same manner as if the same had been originally tryable in the district court, and all process now issued and returnable to said county court shall be returnable to said district court.

Sec. 14. That this Act shall not be construed to in any wise or in any manner affect judgments heretofore rendered in said county court of Brazos County, pertaining to matters and causes which by this Act are returnable to said district court of Brazos County, but the county clerk

of said county shall issue all executions and orders of sale, and proceedings thereunder shall be as valid and binding to all intents and purposes as though changes had not been made by this Act.

Sec. 15. That the county court of Robertson county shall have and exercise the general jurisdiction of probate courts, shall probate wills, appoint guardians of minors, idiots, lunatics, persons non compos mentis and common drunkards, grant letters testamentary and of administration, settle accounts of executors, administrators and guardians, and transact all business appertaining to estates of deceased persons, minors, idiots, lunatics, persons non compos mentis, and common drunkards, including partition, settlement and distribution of estates of deceased persons, and to apprentice minors as provided by law, and to issue all writs necessary for the enforcement of its own jurisdiction; to punish contempt under all such provisions as are now or may be provided by the general laws governing county courts throughout the State; and the county court of Robertson County shall have no other jurisdiction, civil or criminal.

Sec. 16. That the district court of Robertson County, as herein created, and constituted, shall have and exercise jurisdiction in all civil and criminal matters and causes over which by the laws of this State the county court of said county shall have jurisdiction, original or appellate, except as provided in this Act, and the same are hereby transferred to the district court of said Robertson County, and all writs and processes relating to any civil or criminal matters, included in the subject matter of jurisdiction described by this Act, issued out of or by said county court of Robertson County, be and the same are hereby made returnable to the next term of the district court of said county, after this Act takes effect.

Sec. 17. That the county clerk of Robertson County be and is hereby required, within thirty days after this Act takes effect, to make a full and complete transcript of all entries upon his civil and criminal dockets heretofore made in cases, which by this Act are required to be transferred to the district court of said

county, together with all the papers to such cause pertaining, a certified bill of cost in each case, and all such cases, shall be immediately docketed by the clerk of the district as appearance cases for the next succeeding term, and all criminal cases shall be docketed and disposed of in the same manner as if the same had been originally tryable in the district court, and all process now issued and returnable to said county court shall be returnable to said district court.

Sec. 18. That his Act shall not be construed to in any wise or manner effect judgments heretofore rendered in said county court of Robertson County, pertaining to matters and causes which by this Act are returnable to said district court of Robertson County, but the county clerk of said county shall issue all executions and orders of sale, and proceedings thereunder shall be as valid and binding to all intents and purposes as though changes had not been made in this Act.

Sec. 19. It is provided that in case a term of any of the district courts of the three counties of Milam, Robertson and Brazos, shall be in session at the time this Act takes effect, said term of court of said court shall continue until said term shall have been adjourned or expired under the existing law, and in case said term of said court in session in any of said counties, then the provisions of this Act shall not be operative as to said court in said county until such term shall have expired or shall be adjourned sine die by the judge of said district court as the same is now constituted.

Sec. 20. It is provided further that an official court reporter of said Twentieth Judicial District, and also one for said Eighty-fifth Judicial District, shall be appointed by the judge of said courts, the said official court reporters to have the qualifications, be subject to the duties and regulations, and entitled to the same compensation as official court reporters for district courts of this State are now or may hereafter be subject to and entitled to under the general laws of this State.

Sec. 21. It is further provided that Chapter 67 of the General Laws of the Eighteenth Legislature of the State of Texas, passed at the Regular Session, and approved April 9th,

1883, entitled "An Act to redistrict the State into judicial districts, and fixing a time for the holding of court therein, and to provide for the election of judges and district attorneys in said district," and which now constitutes Section 20, Article 30, of the Revised Statutes of 1911, and also all other laws and parts of laws in conflict with this bill are here now repealed.

Sec. 22. The crowded condition of the dockets of the district court of the several counties herein mentioned, which cannot be relieved or remedied otherwise than by the passage of this Act, creates an emergency and an imperative public necessity demanding that the constitutional rule requiring all bills to be read on three several days be suspended and that this Act take effect and be in force from its passage, and it is so ordered.

Committee Room,

Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 182, and find the same correctly enrolled, and have this day at 10:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Gibson.

S. B. No. 182.

An Act to further regulate the organization, supervision and control of State banks and banks and trust companies incorporated under the General Banking Laws of the State of Texas; providing that amendments to charters of such corporations shall be filed in the office of the Commissioner of Insurance and Banking, and fixing fees for such service; providing an additional method for the qualification of directors of such corporations by requiring such directors to take an oath defined therein, declaring it shall not be necessary to amend the charter of a banking corporation in order to increase or decrease its number of directors and providing the method for such increase or decrease; making it an offense for any officer, director or employe of any State bank or banking corporation

to demand or receive any consideration or commission on account of any loan or extension of credit made by such corporation, defining such an offense and describing the punishment therefor; amending Article 463 of the Revised Statutes of Texas, 1911, and prescribing certain duties of the Commissioner of Insurance and Banking in publishing the notice and advertisement calling on persons who have claims against a bank which has been placed in his hands to present the same within ninety days, and defining and describing the duties of the Commissioner with reference to such matters; fixing the salaries of the bank examiners and regulating their expenses, authorizing the Commissioner to classify the examiners on his force in accordance with years of service, authorizing the Commissioner of Insurance and Banking to designate any one of his examiners as General Liquidating Agent for the purpose of liquidating banks in the process of liquidation in this State, prescribing the duties of such General Liquidating Agent and the Commissioner with reference thereto, fixing an additional salary of five hundred dollars per year for such General Liquidating Agent, and authorizing the Commissioner to assess the salary of the General Liquidating Agent proportionately against the banks being liquidated by him; amending Revised Statutes of Texas, 1911, Article 574, so as to require all officers and employes of such banks who are active in the discharge of their duties or draw salaries to give bond, defining the terms of the bond, requiring same to be filed with the Commissioner of Insurance and Banking and regulating the form and provisions of said bond; amending Section 8, Chapter 3, of the General Laws passed by the Third Called Session of the Thirty-third Legislature of the State of Texas, fixing the amount of indebtedness which any one individual, corporation, company or firm may owe to any bank incorporated under the General Banking Laws of this State, and providing a penalty; providing exceptions to the general provisions of the Act; amending Article 435, Chapter 4 of Title 14, Revised Statutes of Texas of 1911, so as to permit

savings banks to keep two-thirds of its reserve on savings deposits in designated reserve banks approved by the Commissioner of Insurance and Banking; repealing all laws in conflict with this Act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. All amendments to charters of banks and banking and trust companies heretofore or hereafter incorporated under the General Banking Laws of the State of Texas shall be filed in the office of the Commissioner of Insurance and Banking and it shall not be necessary for the same to be filed in the office of the Secretary of State. When amendments are tendered the Commissioner of Insurance and Banking for filing he shall charge for filing of same and issuing a certified copy thereof the same fees as are now charged therefor by the Secretary of State.

Sec. 2. In addition to the method of qualifying as a director of a State bank or banking and trust company as heretofore required by law, each person so elected director shall hereafter make oath that he will diligently and honestly administer the affairs of such corporation and will not knowingly violate or willingly permit to be violated any of the provisions of the banking laws of this State and that he is the owner in good faith and in his own right of the number of shares of stock required by law to be owned by directors of said banking corporations, and that same is not hypothecated or pledged for debt, such oath subscribed by the director making it and certified by the officer before whom it is taken shall be filed permanently in the minutes of the corporation. Provided, however, that it shall not be necessary to amend the charter of any such banking corporation when it is desired to increase or decrease the number of directors, but that the stockholders shall have the right at any regular annual election of directors to elect such number as they may see fit, not less than five nor more than twenty-five, and such number so elected shall be the full number of directors for the ensuing year for which they are elected; provided, however, that when the number of directors is changed under this section a certified copy of the resolution changing the number shall

be forwarded at once to the Commissioner of Insurance and Banking to be filed by him in the charter file of the corporation, but no charge shall be made by the Commissioner therefor; provided further, that no director of any such bank shall, while he is such director, hypothecate or pledge that number of his shares of stock required by law in order to be a director, and the pledging or hypothecating of such stock shall automatically vacate his position as a director.

Sec. 3. It shall hereafter be unlawful for any officer, director or employe of any State bank or banking corporation organized under the laws of this State to demand or receive, directly or indirectly, any commission or other consideration on account of the making by said banking corporation of any loan or extension of credit to any person, firm or corporation; and the acceptance of such commission, consideration or other compensation of any nature whatsoever in violation of this provision shall be deemed a misdemeanor and punishable upon conviction by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment.

Sec. 4. That Article 463, of the Revised Civil Statutes of the State of Texas, 1911, shall be amended so as to hereafter read as follows:

"Article 463. The Commissioner shall cause notice to be given, by advertisement in such newspapers as he may direct, weekly, for three consecutive months, calling on all persons who may have claims against such State bank to present the same to the Commissioner and make legal proof thereof, at a place designated in such notice within ninety days after the date of the first insertion of such published notice, which notice shall also contain a statement in larger type than that in which the body of such notice is printed, specifically stating that all such claims of guaranteed depositors must be presented and legal proof thereof made at the place designated within ninety days after the date of the first insertion of such published notice, and that no claim of guaranteed depositors presented after expiration of ninety days from such date shall be

entitled to payment of any portion thereof out of the Depositors' Guaranty Fund. The Commissioner shall mail a similar notice to all persons whose names appear as creditors upon the books of the State bank."

Sec. 5. The salary and full compensation for State Bank Examiners appointed by the Commissioner of Insurance and Banking shall hereafter be as follows: For the first year of service, the sum of two thousand dollars; for the second year of service, the sum of two thousand two hundred dollars; for the third year of service, the sum of two thousand four hundred dollars; for the fourth year of service, the sum of two thousand six hundred dollars; for the fifth year of service, the sum of two thousand eight hundred dollars; and for the sixth year of service the sum of three thousand dollars, which salary shall not be increased; and in addition to the salary above specified, they shall receive all necessary traveling expenses. An itemized account of such expenses shall be rendered monthly under oath by each Examiner, and shall be approved by the Commissioner. Provided, however, that the Commissioner of Insurance and Banking shall classify the Examiners on his force when this Act goes into effect in accordance with the year of service they have heretofore served in such offices, and shall count such years of service in determining the salaries which shall be paid such Examiners after this Act becomes effective. It is further provided in this connection that the Commissioner of Insurance and Banking may designate any one of his Bank Examiners as a General Liquidating Agent for the purpose of liquidating any one or all State banks in process of liquidation, with his office in the Banking Department at Austin, Texas, and conducting the liquidation for and under the direction of the Commissioner of Insurance and Banking; and for such service such Bank Examiner acting as General Liquidating Agent for the Commissioner shall in addition to the salaries above provided for receive five hundred dollars per annum for his service as General Liquidating Agent of the department, provided that such Liquidating Agent shall never receive a total salary in excess of three thousand dollars per annum. It is further provided that the entire

salary of the General Liquidating Agent herein referred to may be assessed proportionately by the Commissioner against any bank or banks in liquidation and be collected and paid into the State Treasury, as fees for examinations are collected and paid into the Treasury; provided, however, that the amount which may be assessed against any one bank shall not exceed proportionately for the time compensation herein fixed as the salary of a Bank Examiner for his first year's service.

Sec. 6. That Article 574 of the Revised Civil Statutes of this State be amended so that hereafter said article shall read as follows:

Article 574. All officers and employes of banks incorporated under the banking laws of this State who are active in the discharge of their duties or who draw salaries for their services and whose duties permit or require the handling of any of the funds of the bank shall before entering upon the discharge of their duties give a good and sufficient bond in such sum as may be fixed by the board of directors of any such bank; the solvency and amount of such bond shall be subject to the approval of the Commissioner of Insurance and Banking, conditioned for the faithful performance of their duties and such pecuniary loss as the bank may sustain for money or other valuable securities embezzled, wrongfully abstracted or willfully misapplied by any such officer or employe in the course of his employment as such, or in the course of his employment in any other position in such bank, whether he be assigned, appointed, elected, re-elected or temporarily assigned to said position. All such bonds shall be upon forms prepared by the Commissioner of Insurance and Banking, and may be made in some incorporated surety company lawfully transacting business in the State of Texas. All such bonds shall immediately after their execution be forwarded to the Commissioner of Insurance and Banking and be filed by him as an archive of his office and a certified copy thereof shall be returned to the board of directors of such bank and be kept in their custody; provided, however, that the board of directors may require any other bond or bonds in addition to that herein required at their discretion; provided, that only officers of

banks who handle the bank's money or draw a salary shall be required to give bond.

Sec. 7. That Section 8, Chapter 3, of the General Laws, passed by the Third Called Session of the Thirty-third Legislature of Texas, be amended so as to hereafter read as follows:

Section 8. No incorporated bank or trust company chartered under the laws of this State shall loan its money, directly or indirectly, or permit any individual, corporation, company or firm to become at any time indebted or liable to it in a sum exceeding 25 per cent of its capital stock actually paid in and surplus, or permit a line of loans or credits to any greater amount to any individual were loans to such company or firm and the violation of any of the foregoing provisions by any agent or officer of any incorporated banks or trust company of this section of the Act shall be deemed a misdemeanor, and shall be punishable upon conviction therefor, by fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment; all loans to members of any unincorporated company or firm shall be considered as if they were loans to such company or firm in determining the limitation here prescribed; and the discount of commercial or business paper actually owned by the person negotiating the same shall not be considered as borrowed money; a permanent surplus, the setting apart of which shall have been certified to the Commissioner of Insurance and Banking and which cannot be diverted without due notice to and consent of said officer, may be taken and considered as a part of the capital stock for the purpose of this section; provided, however, that in no event shall any such loan exceed 25 per cent of the authorized capital stock and certified surplus; provided, that the provisions of this section shall not be construed as in anywise to interfere with the rules and regulations of any clearing house association in this State in reference to the daily balances between banks; provided that this section shall not apply to balances due from correspondents subject to drafts; and provided, further, that the discount of the following classes

of paper shall not be considered as money borrowed within the meaning of this section, viz:

(a) The discount of bills of exchange, drawn in good faith, against actual existing values.

(b) The discount of paper upon the collateral security of warehouse receipts, covering agricultural and manufactured products in store in elevators and warehouses under the following conditions: First, that the actual market value of the property held in store and covered by such receipts shall at all times exceed by at least twenty-five per cent the amount loaned upon same; second, that the full amount of such loans shall at all times be covered by policies of fire insurance issued by companies lawfully doing business in this State to the extent of their ability to cover such loans; and all such policies shall be made payable in case of loss to the bank or holder of the warehouse receipts.

Any State banking corporation may accept drafts or bills of exchange drawn upon it and growing out of transactions involving the importation and exportation of goods having not more than six months sight to run; but no bank shall accept such bills to an amount equal at any time in the aggregate to more than one-half of its paid-up capital and surplus.

Sec. 7a. That Article 435 of Chapter 4, Title 14, of the Revised Statutes of Texas of 1911, be amended so as to hereafter read as follows:

Article 435. There shall be kept on hand at all times not less than fifteen per cent of the whole amount of such deposits in such savings department; one-third of which shall be kept in actual cash in such savings department and two-thirds of which may be kept with reserve agents designated and approved for such purpose by the Commissioner of Insurance and Banking.

Sec. 8. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Sec. 9. The importance of the legislation proposed in this Act and the crowded condition of the calendar creates an emergency and an imperative public necessity requiring that the constitutional rule providing that bills shall be read on three several

days be suspended and such rule is therefore suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared S. B. No. 433 and find it correctly enrolled, and have this day at 10:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Parr.

S. B. No. 433.

An Act to amend Sections 6 and 6a of an Act to reorganize the Twenty-eighth Judicial District of the State of Texas, and to create a criminal district court for the Counties of Nueces, Kleberg, Willacy and Cameron, being known as S. B. No. 330, passed by the Thirty-fifth Legislature and approved February 26, 1917, and to conform all writs and processes from such courts to such changes, including recognizances and bonds, and to repeal all laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Sections 6 and 6a of an Act to reorganize the Twenty-eighth Judicial District of the State of Texas, and to create a Criminal District Court for the Counties of Nueces, Kleberg, Willacy and Cameron, known as S. B. No. 330, and approved February 26, 1917, be amended so as to hereafter read as follows:

Sec. 6. That the terms of the said Criminal District Court shall be held in said Twenty-eighth Judicial District each year as follows:

In the County of Willacy on the first Monday in January of each year and may continue in session two weeks; and on the last Monday in July of each year and may continue in session two weeks.

In the County of Cameron on the second Monday after the first Monday in January of each year and may continue in session seven weeks; and on the fifth Monday after the last

Monday in July of each year and may continue in session seven weeks.

In the County of Kleberg on the ninth Monday after the first Monday in January of each year and may continue in session three weeks; and on the second Monday after the last Monday in July and may continue in session three weeks.

In the County of Nueces on the twelfth Monday after the first Monday in January of each year and may continue in session eleven weeks; and on the twelfth Monday after the last Monday in July and may continue in session nine weeks.

Sec. 6a. That the Twenty-eighth Judicial District of the State of Texas shall be composed of the Counties of Nueces, Kleberg, Willacy and Cameron, and the terms of the Civil District Court shall be held in said district each year as follows:

In the County of Nueces on the first Monday in January of each year and may continue in session ten weeks; and on the last Monday in July of each year and may continue in session ten weeks.

In the County of Cameron on the tenth Monday after the first Monday in January of each year and may continue in session five weeks; and on the twenty-first Monday after the first Monday in January of each year and may continue in session five weeks; and on the fifteenth Monday after the last Monday in July of each year and may continue in session five weeks.

In the County of Kleberg on the fifteenth Monday after the first Monday in January of each year and may continue in session four weeks; and on the tenth Monday after the last Monday in July of each year and may continue in session three weeks.

In the County of Willacy on the nineteenth Monday after the first Monday in January of each year and may continue in session two weeks; and on the fifteenth Monday after the last Monday in July and may continue in session two weeks.

Sec. 2. That all processes, writs and bonds issued, served or executed prior to the taking effect of this Act and returnable to the term of said court as heretofore fixed by law in the several counties composing said district are hereby made returnable to the terms of said court in the several counties as fixed by this Act, and all processes heretofore re-

turnable, as well as all bonds and recognizances heretofore entered into in any of said courts shall be valid and binding as if no change had been made by this Act in the times of holding said terms of court.

Sec. 3. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Sec. 4. The rapid settlement of the counties mentioned in this Act and the crowded condition of the dockets of the district courts of the various counties in said judicial district and the want of time for disposing of the business of the district court of said counties creates an imperative public necessity and an emergency requiring the suspension of the constitutional rule requiring bills to be read on three several days in each house and said rule is now hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

FORTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas,
Monday, March 12, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Hopkins.	Woodward.

Absent—Excused.

Henderson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed

with on motion of Senator Westbrook.

Excused.

Senator Johnston of Harris for Saturday on motion of Senator Dean.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Messages from the House.

Hall of the House of Representatives.
Austin, Texas, March 12, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has reconsidered the vote by which the Free Conference Committee report on House Bill No. 502 was adopted, and request the conference to submit another report.

Passed:

H. B. No. 498, A bill to be entitled "An Act to provide for the establishment and maintenance of the State home for dependent and neglected children, to locate the same, and provide for its control and management, making appropriation for such purposes, and declaring an emergency."

H. B. No. 768, A bill to be entitled "An Act for the protection of live stock and other domestic animals from injury in Harrison county and to prevent the unnecessary destruction of fox and other fur-bearing animals usually hunted for sport, and to prohibit the setting of any trap, snare or device for taking, snaring, trapping or catching of same, and to provide a punishment for so doing."

H. B. No. 792, A bill to be entitled "An Act creating and incorporating the Karnes City Independent School District in Karnes county, etc., and declaring an emergency."

S. B. No. 452, A bill to be entitled "An Act to create a more efficient road system for Henderson county, Texas."